

TAB 1

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

	x	
	:	
THE CITY OF HUNTINGTON,	:	Civil Action
	:	
Plaintiff,	:	No. 3:17-cv-01362
	:	
v.	:	
	:	
AMERISOURCEBERGEN DRUG	:	
CORPORATION, et al.,	:	
	:	
Defendants.	:	

	x	
	:	
CABELL COUNTY COMMISSION,	:	Civil Action
	:	
Plaintiff,	:	No. 3:17-cv-01665
	:	
v.	:	
	:	
AMERISOURCEBERGEN DRUG	:	
CORPORATION, et al.,	:	
	:	
Defendants.	:	

BENCH TRIAL - VOLUME 30
BEFORE THE HONORABLE DAVID A. FABER, SENIOR STATUS JUDGE
UNITED STATES DISTRICT COURT
IN CHARLESTON, WEST VIRGINIA

JUNE 28, 2021

1 efficacy of opioids, on which you have published?

2 **A.** Yes, it is.

3 **Q.** And can you recall any of the studies in your report
4 that relate to that topic in particular?

5 **A.** Well, I believe I published a review in the annuals of
6 public health, or the annals of public health, annual
7 reviews of public health that, that we previously described
8 and that included an assessment of the evidence to support
9 the use of opioids or the lack thereof.

10 MS. SINGER: Your Honor, may I approach?

11 THE COURT: Yes. We're going to have to take a
12 break early and change out court reporters. So we'll be in
13 recess for about 10 minutes.

14 You can step down, Doctor.

15 THE WITNESS: Thank you.

16 (Recess taken at 9:49 a.m.)

17 MS. SINGER: May I, Your Honor?

18 THE COURT: Yes, you may.

19 MS. SINGER: All right.

20 BY MS. SINGER:

21 **Q.** Dr. Alexander, before the brief recess, I had just
22 handed you P-43586. Do you have that in front of you?

23 **A.** Yes, I do.

24 **Q.** And do you recognize that document?

25 **A.** Yes.

1 Q. And what is the document?

2 A. It's a peer-reviewed paper that I published with
3 colleagues entitled The Prescription Opioid and Heroin
4 Crisis: A Public Health Approach to an Epidemic of
5 Addiction.

6 Q. And is this the study you were referring to in the
7 moments before we took a recess?

8 A. Yes, it is.

9 Q. And where was this study published, if you didn't say
10 that already?

11 A. In the Annual Reviews of Public Health.

12 Q. Is that a peer-review journal?

13 A. Yes, it is.

14 Q. And is the Annual of Public Health considered to be a
15 reliable authority in your field?

16 A. Yes, it is.

17 Q. What other types of information are published in that
18 journal?

19 A. Well, the annual reviews typically publishes articles
20 examining looming or large public health problems. Gun
21 violence, obesity, diabetes, other matters where public
22 health tools and approaches have important -- have an
23 important contribution to addressing the concern.

24 Q. And in this study that you've just referenced, did you
25 discuss the reference regarding the use of opioids for

1 chronic pain?

2 **A.** Yes, I did.

3 **Q.** And I would like to direct you to Page 4, moving on to
4 Page 5. Can you read what you've written there regarding
5 the evidence for use of opioids in chronic pain?

6 **A.** Is there a slide prepared?

7 **Q.** There's not a slide. I think we can pull it up. If
8 you look at the very bottom of the page, Dr. Alexander, the
9 last sentence there, in fact, high quality?

10 **A.** Thank you. In fact, high quality long-term clinical
11 studies demonstrating the safety and efficacy of OPRs, or
12 opioid pain relievers, for chronic non-cancer pain have
13 never been conducted. Surveys of patients with chronic
14 non-cancer pain receiving long-term OPRs suggests that most
15 patients continued to experience significant chronic pain
16 and dysfunction.

17 **Q.** And why don't you go ahead and finish out that
18 paragraph, please?

19 **A.** The CDC and some professional societies now warn
20 clinicians to avoid prescribing OPRs for common chronic
21 conditions.

22 **Q.** And is that what you wrote in the study that was
23 published in the Annual of Public Health?

24 **A.** Yes, it is.

25 **Q.** And do you still agree with that statement today?